

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

In re: Carlean Dates

Case No. 1:17-cv-842

Judge Michael R. Barrett

**ORDER**

This matter is before the Court on Appellant's, Carlean Dates, Notice of Appeal from Bankruptcy Court docketed on December 15, 2017. (Doc. 1). On January 18, 2018, the bankruptcy clerk certified the record, and the Court set a briefing schedule by docket notation. (Doc. 2). On May 23, 2018, the Court ordered Appellant to show cause, within fourteen (14) days of entry of that order, why this appeal should not be dismissed for failure to prosecute, as Appellant had not filed a brief with the Court per the briefing schedule.<sup>1</sup> (Doc. 3); *see Arnold v. G.E. Capital Auto Lease, Inc.*, 63 Fed. Appx. 188, 191 (6th Cir. 2003) (affirming dismissal of bankruptcy appeal for failure to prosecute); Federal Rule of Bankruptcy Procedure 8003(a)(2) (granting the district court authority to dismiss bankruptcy appeals for non-prosecution). Appellant has failed to respond to the Court's order or file a brief.

In light of the above, the Court finds that dismissal for failure to prosecute is proper. It is hereby **ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**. This matter shall be **CLOSED and TERMINATED** from the Court's active docket.

**IT IS SO ORDERED.**

/s Michael R. Barrett  
Michael R. Barrett  
United States District Court

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<sup>1</sup> Appellant's brief was due by February 1, 2018. (Doc. 2).